



## **A WORD ABOUT ETHICS**

### **CONTACTING THE U.S. GOVERNMENT ON BEHALF OF OTHERS**

#### **Am I limited in my dealing with the United States Government in my personal capacity?**

- Yes. You cannot represent anyone (other than yourself) before a Federal agency or Federal court, which mean that, unless an exception applies, you cannot contact a Federal agency or court on behalf of anyone else in order to influence Government action (including by serving as an expert witness). This restriction even applies to contacting a Federal agency on behalf of a family member (except as noted below). You also cannot receive payments based on the representational activities of others before a Federal agency or Federal court (such as from partnership distributions if you are a partner). You can, however, contact Congress on behalf of someone else.

#### **Are there exceptions to these restrictions?**

- Yes; you can represent:
  - another employee in a personnel dispute (if you not paid and it does not conflict with your Federal duties);
  - a spouse, parent, child, estate, or someone with whom you have a power of attorney (but *only* if you receive prior approval through an ethics official); and
  - a Federal employee organization (in some situations, as noted below).

#### **When are the limitations on representing a Federal employee organization before a Federal agency or court?**

- You cannot represent an organization composed primarily of other Federal employees (or their family members):
  - in a claim against the Government,
  - in a proceeding,
  - if the matter at issue involves financial payments from the Government (such as a contract or grant), or
  - if you receive payment for the representational activities.

#### **If I work for less than 130 days per year am I covered by these restrictions?**

- Some of them.
  - If you worked 60 days or fewer in a 365-day period, you are barred from contacting the Government on a matter involving specific parties on which you worked as part of your Government duties.
  - If you worked 61-130 days, you are also barred from contacting the Government on a matter involving specific parties pending before the Department of Commerce (even if you did not work on the matter).
- Note that that if you served for less than 130 days, you can contact the Government on behalf of someone else regarding a general policy matter.

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January 2, 2015